

ORDER FOR SUPPLIES OR SERVICES (Contractor must submit four copies of invoice.)						Form Approved OMB No. 0704-0187 Expires Jun 30, 1997		PAGE 1 OF 8						
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0187), Washington, DC 20503.														
PLEASE DO NOT RETURN YOUR FORM TO EITHER OF THESE ADDRESSES. SEND YOUR COMPLETED FORM TO THE PROCUREMENT OFFICIAL IDENTIFIED IN ITEM 6.														
1. CONTRACT/PURCH ORDER NO. SPM405-04-M-0452			2. DELIVERY ORDER NO.		3. DATE OF ORDER (YYMMDD) 2004 SEP 13		4. REQUISITION/PURCH REQUEST NO. 0010686522		5. PRIORITY DOA1					
6. ISSUED BY Defense Supply Center Richmond ATTN: DSCR Procurement 8000 Jefferson Davis Highway Richmond, Virginia 23297- Local Administrator: PAROFA6 (804)279-6639 / FAX: (804)279-1679 E-mail: mandy.lambert@dla.mil			CODE SP0400		7. ADMINISTERED BY (If other than 6) DEFENSE SUPPLY CENTER RICHMOND BUSINESS SUPPLIER OPERATIONS 8000 JEFFERSON DAVIS HWY RICHMOND VA 23297-5770			CODE SP0400		8. DELIVERY FOB <input checked="" type="checkbox"/> DEST <input type="checkbox"/> OTHER (See Schedule if other)				
9. CONTRACTOR NEWGARD INDUSTRIES, INC. 4030 STITT STREET MONROE NC 28110-8895			CODE 59686		FACILITY CODE		10. DELIVER TO FOB POINT BY (Date) (YYMMDD) 2004 DEC 12		11. MARK IF BUSINESS IS <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> SMALL DISADVANTAGED <input checked="" type="checkbox"/> WOMEN-OWNED					
NAME AND ADDRESS							12. DISCOUNT TERMS NET 30 days		13. MAIL INVOICES TO See Block 15					
14. SHIP TO See Schedule - Do Not Ship to Address in Block 6			CODE		15. PAYMENT WILL BE MADE BY DFAS BVDP (SL4701) P.O. BOX 369031 COLUMBUS OH 43236-9031			CODE SL4701		MARK ALL PACKAGES AND PAPERS WITH CONTRACT OR ORDER NUMBER				
16. TYPE OF ORDER		DELIVERY		This delivery order is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract.										
		PURCHASE		Reference your offer dated 2004 SEP 10 and furnish the following on terms specified herein.										
		<input checked="" type="checkbox"/>		ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME.										
17. ACCOUNTING AND APPROPRIATION DATA/LOCAL USE Other: BX:97X 4930 5CBX 001 2630 S33														
18. ITEM NO.		19. SCHEDULE OF SUPPLIES/SERVICE				20. QUANTITY ORDERED/ACCEPTED*		21. UNIT		22. UNIT PRICE		23. AMOUNT		
						TOTAL: 1								
* If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and encircle.					24. UNITED STATES OF AMERICA John Baggett BY: <i>John S Baggett</i>					PAROFA3		25. TOTAL \$ 500.00		
26. QUANTITY IN COLUMN 20 HAS BEEN <input type="checkbox"/> INSPECTED <input type="checkbox"/> RECEIVED <input type="checkbox"/> ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED					27. SHIP. NO.		28. D.O. VOUCHER NO.		TRACTING/ORDERING OFFICER		29. DIFFERENCE			
DATE SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE					<input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL		32. PAID BY				30. INITIALS			
36. I certify this account is correct and proper for payment. DATE SIGNATURE AND TITLE OF CERTIFYING OFFICER					31. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL						33. AMOUNT VERIFIED CORRECT FOR			
37. RECEIVED AT		38. RECEIVED BY (Print)			39. DATE RECEIVED (YYMMDD)		40. TOTAL CONTAINERS		41. S/R ACCOUNT NUMBER		42. S/R VOUCHER NO.			

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Destination Inspection:
This order is administered by DSCR Richmond.

Clause 252.225-7009 applies:
DUTY-FREE ENTRY - QUALIFYING COUNTRY SUPPLIES
(END PRODUCTS AND COMPONENTS) DFARS (AUG 2000)

52.246-11 HIGHER-LEVEL CONTRACT QUALITY (FEB 1999)
REQUIREMENT

The Contractor shall comply with the applicable higher-level contract quality requirement cited below, which is hereby incorporated into this contract:

ISO 9001 or ANSI/ASQC Q9001 when Quality Assurance Provision (QAP) 005, 006, 159, 189, 216, 222, V02, or V03 is included.

ISO 9002 or ANSI/ASQC Q9002 for any other QAPs.

DSCR NOTE to 52.246-11:

The higher-level standards referenced above shall apply unless the contractor indicates the proposal is based on a contractor's preferred quality system as identified below:

[] Other recognized industry standard(s) (but non-ISO/ANSI/ASQC) that is equivalent to or better than applicable ISO/ANSI/ASQC standard indicated above.

Specify .

[] Other process control system that is equivalent to or better than the applicable ISO/ANSI/ASQC standard indicated above which has not previously been determined to be insufficient for the Government's purpose. This may include previously recognized MIL-I-45208 or MIL-Q-9858 systems which have been augmented to be equivalent to ISO 9002 or ISO 9001 respectively.

[x] An existing system modeled after
[x] MIL-I-45208 or
[] MIL-Q-9858 and not previously determined insufficient for the Government's purpose. THIS OPTION IS PERMITTED ONLY AS AN INTERIM MEASURE TO ALLOW CONTRACTORS TO TRANSITION TO ISO/ANSI/ASQC STANDARDS.

Third party certification/registration is not required nor will it be considered a substitute for the Government's right to audit/validate a contractor's quality system. ISO 9001 can be accepted for ISO 9002 requirements, however, the reverse does not apply.

MIL-STD-105 has been replaced by ANSI/ASQC Z1.4-1993, Sampling Procedure and Tables for Inspection by Attributes.

MIL-STD-45662A has been replaced by either ISO 10012-1, Quality Assurance Requirements for Measuring Equipment or ANSI/NCSL Z540-1,

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<div>SECTION B</div> <div>General Requirements for Calibration Laboratories and Measuring Equipment and Test Equipment. DSCR (MAR 2000)</div>			

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SECTION B

PR 0010686522
NSN 1680-01-355-4458

ITEM DESCRIPTION:

FRAME, SEAT, AIRCRAFT
NEWGARD INDUSTRIES INC. CAGE: 59686
P/N: B7079
IDENTIFY TO:

MARK IAW MIL-STD-130K, DATED 15 JAN 00.
CONFIGURATION CONTROL APPLIES
SEE CLAUSE 52.246-9G36 (SECTION I).

DSCR DOES NOT CURRENTLY HAVE AN APPROVED
TECHNICAL DATA PACKAGE AVAILABLE FOR THIS NSN.
PLEASE DO NOT SUBMIT REQUEST TO DSCR-VABA.

CRITICAL APPLICATION ITEM

NEWGARD INDUSTRIES, INC. (59686) P/N B7079

I/A/W QAP QAP-003
REFNO
AMEND NR 00 DTD 97 JUL 01
TYPE NUMBER:

<u>ITEM</u>	<u>PR</u>	<u>PRLI</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
0001	0010686522	0001	1	EA	\$500.00000	\$500.00

QTY VARIANCE: PLUS 0% MINUS 0%
INSP/ACCEP POINT: I/A/W FAST PAY PROCEDURES

PREP FOR DELIVERY

PKGING DATA - QUP 001:
SHALL BE PACKAGED STANDARD COMMERCIAL IN ACCORDANCE WITH ASTM D 3951.

For all shipments of packaged materiel to the government, which includes either depot (DLA-direct) or DVD (customer-direct) shipments, both DoD linear and 2-D bar code markings are required on military shipping labels in accordance with MIL-STD-129, revision P, dated December 15, 2002. 2-D bar coding shall be in accordance with ISO/IEC 15438, ISO/IEC 15434 (ANSI MH10.8.3) and

CONTINUED ON NEXT PAGE

SECTION B

DoD 4500.9-R. MSL linear (code 3 of 9 or code 39) bar coding shall be in accordance with ISO/IEC 16388. MSL label stock quality shall meet MIL-PRF-61002. MSL bar code print quality shall meet ANSI MH10.8-2000 or ANSI X3.182-1990 (R2000) for applicable 2-D and/or linear bar codes. All DVD shipments shall meet additional linear bar coding requirements in DLAD 52.211-9008. When the contract/order omits any data element required to be bar-coded, the field shall be zero-filled. These requirements do not apply to delivery orders when the basic contract has not been modified to require MIL-STD-129P. If there are inconsistencies between the schedule and MIL-STD-129P, the schedule takes precedence.

DELIVER FOB: DESTINATION BY: 2004 DEC 12

PARCEL POST ADDRESS:

R55660
MARINE AVIATION LOGISTIC SQ SUPPORT

MALS 16 SUP ELEM A AVIATION SUP OFC
FPO AP 96426-1061
US

FREIGHT SHIPPING ADDRESS:

CONTACT TRANS OFF AT ADMIN OFF PRIOR TO SHIPMENT

M/F: (TCN) R5566042440668 XXX
RDD 9 CONTACT TRANS OFFICE AT ADMIN OFFICE PRIOR TO SHIPMENT
PROJ 9GJ TP 1
SUP ADD YCAGEE SIG A

ADDED MARKING FOR FREIGHT SHIPPING ADDRESS:

R55660
MARINE AVIATION LOGISTIC SQ SUPPORT
ELEMENT A MALS 16 SUP ELEM A
CALL NAV OPER LOGISTIC SUP CTR NOLSC
PHONE CML 757 443 5434 DSN 646 5434
US

FOR GOVERNMENT USE ONLY: IPD 02

DIC A41 DIST 9B ADV FC KZ

* * * * *

CONTINUED ON NEXT PAGE

SECTION B

REMIT PAYMENT TO:

* * * * *

CONTINUED ON NEXT PAGE

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SECTION B		appropriate.			
B13F01 13-1A-9G NOTIFICATION OF REJECTION OF UNILATERAL AWARD (MAR 2001) DSCR		NOTE: Applicable to negotiated solicitations. Offers that do not comply with the packaging and marking requirements as specified in Section D of this solicitation may be subject to rejection as being technically unacceptable.			
<p>Unless this is a bilateral award, notice of rejection as described herein is required. The Government's offer to purchase, as evidenced by this order, is made on the basis of your quotation. Although you are not legally obligated to perform on a unilateral purchase order, you should promptly notify the DSCR contract administrator in writing if you do not intend to perform this order by the specified delivery date. Prompt notification means as soon after receiving notice of award as practicable given the circumstances. FAILURE TO PROVIDE PROMPT NOTICE WILL ADVERSELY AFFECT YOUR PAST PERFORMANCE AUTOMATED BEST VALUE SYSTEM SCORE IF THIS ORDER IS LATER CANCELLED AT OTHER THAN THE GOVERNMENT'S REQUEST.</p>		SECTION E			
B47F01 0-47A-9G DSCR TRANSPORTATION NOTICE (JAN 2003) DSCR		E46F33 52.246-9G16 INSPECTION AND ACCEPTANCE POINT (FEB 1996) DSCR			
		Inspection point: [x] Destination [] Origin			
		Acceptance point: [x] Destination [] Origin			
		[] Inspection and Acceptance will take place at:			
		Origin - First Shipment Only			
		Destination - Subsequent Shipments			
		SECTION F			
		F11A06 52.211-16 VARIATION IN QUANTITY (APR 1984) FAR			
		(b) The permissible variation shall be limited to:			
		0 % (Percent) Increase 0 % (Percent) Decrease			
		This increase or decrease shall apply to the quantity at the line item level, or for phased delivery at the sub-clin level, as designated by item number followed by two alphas, i.e. 0001AA. The variation (if any) shall be shipped with the quantity for the line item, or for phased delivery the quantity specified for each sub-clin. Under no circumstances will the contractor ship a variation in quantity against any line item/sub-clin other than as specified in the delivery schedule.			
		F11F06 11-19-9G DSCR NOTE TO CLAUSE 52.211-16 VARIATION IN QUANTITY (APR 1984)			
		DSCR NOTE: Any quantity shipped against the line/sub-clin that exceeds the stated line item/sub-clin quantity plus variation (if any) will be returned and the contractor will be responsible for return shipment costs.			
		F11F42 52.211-9G52 TIME OF DELIVERY ALT I (APR 2004) DSCR			
		F13F30 52.213-9G01 DISTRIBUTION OF DD FORM 1155 (JUN 1999) DSCR			
		Shipping documentation must accompany each shipment. One copy of the order shall accompany or be included in each shipment. Contractors may obtain additional copies of DD Form 1155 by sending a written request to: Defense Supply Center, Richmond, 8000 Jefferson Davis Highway, ATTN: DSCR-JJA, Richmond, Virginia 23297-5380. Some DD Form 1155s are also available via the internet at http://progate.daps.mil/home/ .			
		F47A03 52.247-34 F.O.B. DESTINATION (NOV 1991) FAR			
		SECTION I			
		I04B03 252.204-7003 CONTROL OF GOVERNMENT PERSONNEL WORK PRODUCT (APR 1992) DFARS			
		I11A01 52.211-5 MATERIAL REQUIREMENTS (AUG 2000) FAR			
		I11A02 52.211-15 DEFENSE PRIORITY AND ALLOCATION REQUIREMENT (SEP 1990) FAR			
		I11C02 52.211-9002 PRIORITY RATING (MAR 2000) DLAD			
		I13A01 52.213-1 FAST PAYMENT PROCEDURE (FEB 1998) FAR			
		I15A05 52.215-8 ORDER OF PRECEDENCE -- UNIFORM CONTRACT FORMAT (OCT 1997) FAR			
		I23B03 252.223-7004 DRUG-FREE WORK FORCE (SEP 1988) DFARS			
		CONTINUED ON NEXT PAGE			
<p>If this is a DSCR administered award (see Block 7 of the DD Form 1155), you should contact the DSCR Transportation Office via FAX 804-279-5157 for shipping instructions, clearances, and freight addresses. For urgent requirements, you may call 804-279-4589. You must provide the weight, cube, number of pieces, and shipping location when you call or FAX.</p>					
SECTION D					
D11C01 52.211-9008 BAR CODING REQUIREMENTS FOR DIRECT VENDOR DELIVERY (DVD) SHIPMENTS DD FORM 250/250C/COMMERCIAL PACKING LIST (FEB 2004) DLAD					
D11F39 52.211-9G73 PACKAGING AND MARKING REQUIREMENTS (JUL 2002) DSCR					
(a) Unless stated otherwise, commercial packaging in accordance with ASTM-D-3951 is required for CONUS shipments from the contractor directly to the customer. Commercial packaging and marking is not sufficient for vendor shipments requiring movement through the Defense Transportation System (also referred to as the Military Distribution System or DLA Depot) as the shipment could ultimately be moved via Military Air.					
(b) Higher level packaging in accordance with MIL-STD-2073 is mandatory for all shipments that meet the below criteria:					
<p>Movement through the Defense Transportation System including shipments to a Military Distribution facility or depot.</p> <p>OCONUS shipments</p> <p>FMS shipments</p> <p>Hazardous material, as cited in the AID or in the Quality Requirements Matrix.</p>					
(c) Materials not considered as HAZMAT for CONUS or OCONUS commercial air shipments may be considered HAZMAT for MILAIR shipments OCONUS. As such, contractors/shippers shall ensure that material meeting HAZMAT definitions in DLAI 4145.3, Preparing Hazardous Materials for Military Air Shipment, is packaged in accordance with that instruction when the consignee is OCONUS and the shipment will be moved through the Defense Transportation System. DLAI 4145.3 is available on the internet at: www.dscc.dla.mil/downloads/packaging/dlai4145_3.pdf .					
(d) All items shall be marked in accordance with MIL-STD-129. Hazardous items and shelf life items, as cited in the AID or in the Quality Requirements Matrix, shall be marked in accordance with MIL-STD-129 and the appropriate clauses cited in the appendix to the matrix and the contract. The contractor is required to package material in accordance with Quantity Unit Pack (QUP), specified in MIL-STD-2073 and the Unit of Issue (UI), specified in each delivery order. A packing slip shall be located in a plastic pouch on the outside of the package. For HAZMAT destined OCONUS, a hard copy of the Material Safety Data Sheet (MSDS) must also be included.					
(e) In the event of deployments, this clause may be invoked when shipments originally destined for a CONUS location are diverted to OCONUS destinations thereby necessitating movement of the material through the Defense Transportation System. In such an event, contractors will be notified by the Contracting Officer and an equitable adjustment will be made in the contract price as deemed					

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I32A01	52.232-1	PAYMENTS (APR 1984)	FAR				
I32A06	52.232-8	DISCOUNTS FOR PROMPT PAYMENT (FEB 2002)	FAR				
I32A22	52.232-25	PROMPT PAYMENT (OCT 2003)	FAR				
I32A28	52.232-33	PAYMENT BY ELECTRONIC FUNDS TRANSFER--CENTRAL CONTRACTOR REGISTRATION (OCT 2003)	FAR				
I32B02	252.232-7003	ELECTRONIC SUBMISSION OF PAYMENT REQUESTS (JAN 2004)	DFARS				
I32F28	32-6A-9G	DSCR NOTE TO CLAUSE 52.232-33 PAYMENT BY ELECTRONIC FUNDS TRANSFER-CENTRAL CONTRACTOR REGISTRATION (MAY 1999)					
<p>DSCR NOTE: Unless otherwise stated in the remarks section of this contract/order, the payment information contained in the CCR has precedence over any other payment information that may be contained in the Remittance Address field of this contract/order.</p> <p style="text-align: right;">DSCR (MAR 2000)</p>							
I33A01	52.233-1	DISPUTES (JUL 2002)	FAR				
I33A03	52.233-3	PROTEST AFTER AWARD (AUG 1996)	FAR				
I33F01	33-1A-9G	DSCR NOTE TO 52.233-1 DISPUTES (JUL 2002)	DSCR				
<p>DSCR NOTE:</p> <p>DSCR has in place a process to mediate two types of contract disputes: (1) contract claims filed pursuant to the Contract Disputes Act of 1978, as amended, 41 U.S.C. 601-613, (CDA), prior to issuance of a final decision by the contracting officer, that arise as a result of either a contractor or government claim, except for proposed Terminations for Default, and (2) other contract disputes, resulting from an issue in controversy, that the contracting officer determines suitable for mediation. Mediation involves a neutral, called a mediator, who assists both parties as they try to resolve their dispute voluntarily and produce a solution that is acceptable and beneficial to both. After unassisted negotiations over an issue in controversy have proven ineffective in either situation, the contracting officer will contact the contractor seeking to resolve the dispute through mediation. In either situation, a contractor's decision not to engage in mediation shall be conveyed in writing to the contracting officer.</p> <p>Mediation undertaken pursuant to this process does not waive the statutory time limitations of the CDA, within which a contracting officer must issue a final decision on a claim filed pursuant to the CDA, as expressed in FAR Clause 52.233-1, Disputes, paragraph (e). If mediation is unsuccessful, the parties retain their existing rights under the CDA. (99140)</p>							
I44A05	52.244-6	SUBCONTRACTS FOR COMMERCIAL ITEMS (JUL 2004)	FAR				
I44B01	252.244-7000	SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS (DOD CONTRACTS) (MAR 2000)	DFARS				
I46F37	52.246-9G36	CONFIGURATION CONTROL (JUN 2003)	DSCR				
<p>NOTICE TO CONTRACTORS: The requirements of this clause are identified to MIL-STD-973. DSCR will continue to reference MIL-STD-973 in solicitations and contracts until implementation of DLA configuration control requirements. The full text of MIL-STD-973 is available at:</p> <p>http://www.dscr.dla.mil/qap/qaps.htm</p> <p>(a) When configuration management control is cited in the Procurement Item Description, the furnished item(s) shall conform to the approved configuration requirements/revision specified unless a variation is processed and approved as provided for at (b) below.</p> <p>(b) Variations shall be identified and approval obtained in accordance with MIL-STD-973 dated 17 APR 92, with Interim Notice 3 dated 12 JAN 95 as follows:</p>							
				<p>(1) Process an Engineering Change Proposal for any changes to the approved configuration in accordance with Paragraph 5.4.2 and Subparagraphs thereto and APPENDIX D, except that Subparagraphs 5.4.2.3.1, 5.4.2.3.5.1, and 5.4.2.3.5.2 do not apply.</p> <p>(2) Process requests for deviation from the approved configuration in accordance with Paragraph 5.4.3 and Subparagraphs thereto and APPENDIX E.</p> <p>(3) Process requests for waiver from the approved configuration in accordance with Paragraph 5.4.4 and Subparagraphs thereto and APPENDIX E.</p> <p>(4) Process requests for parts substitution from the approved configuration in accordance with Paragraph 5.4.5 and Subparagraphs thereto.</p> <p>(5) Process Specification Change Notices in accordance with Paragraph 5.4.6 and Subparagraphs thereto and APPENDIX F.</p> <p>(6) Process Notices of Revision (NORS) in accordance with Paragraph 5.4.7 and APPENDIX G.</p> <p>(7) Process configuration control (short form procedure) in accordance with Paragraph 5.4.8 and Subparagraphs thereto and APPENDIX D.</p>			
I47B02	252.247-7023	TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002)	DFARS				
I47B05	252.247-7023	TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000)	ALT III (MAR 2000) DFARS				
I52A01	52.252-2	CLAUSES INCORPORATED BY REFERENCE (FEB 1998)	FAR				
<p>This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):</p> <p>http://www.dla.mil/j-3/j-336/icps.htm</p>							
I52A02	52.252-6	AUTHORIZED DEVIATIONS IN CLAUSES (APR 1984)	FAR				
<p>(a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapter 1) clause with an authorize deviation is indicated by the addition of '(DEVIATION)' after the date of the clause.</p> <p>(b) The use in this solicitation or contract of any DoD FAR Supplement (DFARS) (48 CFR Chapter 2) clause with an authorized deviation is indicated by the addition of '(DEVIATION)' after the name of the regulation.</p>							
I53A01	52.253-1	COMPUTER GENERATED FORMS (JAN 1991)	FAR				